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HAMILTON & TERRILE, LLP			EXAMINER	
IBM Austin			STORK, KYLE R	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/740,461	Applicant(s) DUTTA, RABINDRANATH	
	Examiner KYLE R. STORK	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-20, 22-35 and 37-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-20, 22-35, and 37-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This non-final office action is in response to the Appeal Brief filed 2 December 2008.
2. Claims 1-5, 7-20, 22-35, and 37-45 are pending. Claims 1, 5, 16, 20, 31, and 35 are independent claims.

The rejection of claims 1-7, 7-20, 22-35, and 37-45 under 35 USC 102 over Khan (US 6546393, filed 7 October 1999) has been withdrawn in view of the Appeal Brief.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5, 7-20, 22-35, and 37-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Khan (US 6546393, filed 7 October 1999), and further in view of Hiatt, Jr. (US 2001/0016487, filed 24 September 1999, hereafter Hiatt).

Regarding independent claim 1, Fig. 2 of Khan discloses a method for processing data within a distributed data processing system, the method comprising: receiving, at a client, a first web page content file in response to a request by a user to browse the first file (Figs. 9, 13, 14, and 27 [web pages]); displaying content from the first web page content file by a client application (Fig. 9 [900]); selecting a user interface

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control (Fig. 11 [600] disclosing a user interface control) with the client application; in response to the selection of the user interface control, automatically retrieving an address of a server (Fig. 11 [600] [http:// www.clickmarks.com/...](http://www.clickmarks.com/)), wherein the user has previously established a user account at the server (Col. 14 lines 31-38); in response to the selection of the user interface control, automatically retrieving user-specified parameters (Fig. 6[600] 620, 616, 614...) within the client application wherein the user-specified parameters are associated the user account at the server for server-side processing of files sent by the user to the server (Col. 14 lines 32-43); and automatically using the user-specified parameters from the client to the server using the retrieved address (Fig. 11 [600] [http://www.clickmarks.com/...](http://www.clickmarks.com/)).

Khan fails to specifically disclose sending the file to the server. However, Hiatt discloses sending a file to a server (paragraph 0015). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Hiatt with Khan, since it would have allowed a user to remotely store an archived copy of a file.

Regarding dependent claim 2, Fig. 9 of Khan further comprising: determining that the first file (Fig. 9 [<http://c..>]) references a plurality of files (Fig. 9 'What New, Surf Central, Webmaster earn, Make your bookmarks..'); receiving at the client (Fig. 1) the plurality of files (Fig. 9 'What New, Surf Central, Webmaster earn, Make your bookmarks..') sending the plurality of files with the first file to the server (Fig. 9 [902] Col. 15 line 61—Col. 16 line 14).

Regarding dependent claim 3, Fig. 11 [600] of Khan further discloses wherein the address is a Uniform Resource Identifier (Fig. 11 [600]
<http://www.clickmarks.com/...>)

Regarding dependent claim 4, Khan further discloses wherein the first file is formatted in accordance with a markup language (Col. 9 lines 57-61, and Col. 10 lines 49).

Regarding independent claim 5, Fig. 2 of Khan discloses a method for processing data within a distributed data processing system, the method comprising: receiving at a sever (Fig. 3 [300]), one or more files (Fig. 3 [310a, 310b, 310c]) from a user at a client (Fig. 3 [302a, 302b, 302c]), wherein the user has previously established a user account at the server; authorizing the user for processing data at the server; in response to authorizing the user (Col. 14 lines 31-38), automatically storing the one or more received files from the client at the server (Fig. 6 [Business and Finance, Communities and Life Style...]); in response to authorizing the user, automatically retrieving a Web page (See Fig. 11) from local storage (Fig. 3 [310 a, b, c]) at the server (Fig. 3 [300]; automatically modifying the retrieved Web page by inserting a hyperlink (Fig. 11[1 New Link www]) to at least one of the one or more received files (Fig. 15 [2: Choose location of the new url/folder) from the client; and automatically storing the modified Web page (Figs. 11 and 15).

Khan fails to specifically disclose sending the file to the server. However, Hiatt discloses sending a file to a server (paragraph 0015). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined

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Hiatt with Khan, since it would have allowed a user to remotely store an archived copy of a file.

Regarding dependent claim 7, Fig. 11 of Khan further discloses wherein the Web page may be edited by the user (Fig. 11 [Delete, Move, Rename, Add]...).

Regarding dependent claim 8, Fig. 11 of Khan further comprising: parsing at least one received file (Fig. 1 [News and Sports, My Private Links]) from the client to retrieve an originating Uniform Resource Identified (Fig. 11 [My Yahoo, E Trade]); generating one or more URIs (Fig. 11 [1, 2, 3]) for storing the one or more received files at the server (Fig. 11); and store the one or more received files to be accessible using the one or more generated URIs (Fig. 11).

Regarding dependent claim 9, Fig. 11 of Khan further comprising wherein the inserted hyperlink references a received file using a generated URI (Fig. 11 [My Yahoo, E Trade, etc...]).

Regarding dependent claim 10, Fig. 24 of Khan further discloses wherein the inserted hyperlink (Fig. 24 Gamesville) is associated with anchor text derived from content within a received file (Fig. 24 [2404]).

Regarding dependent claim 11, Fig. 24 of Khan further discloses wherein the anchor text (Fig. 24 [Gamesville]) is a title of received file.

Regarding dependent claim 12, Khan further comprising: executing a server-side script (Fig. 6[610]) against the one or more received files (Fig. 6 Travel and Leisure) and the retrieved Web page (Col. 14 lines 48-49).

Regarding dependent claim 13, Khan further comprising: determining whether a user has specified a server-side script; and in response to a determination that the user has specified a server-side script, executing the specified server-side script (Col. 14 lines 48-49).

Regarding dependent claim 14, Khan further comprising: parsing at least one received file from the client (Fig. 6) to retrieve the specified server-side script (Col. 14 lines 48-49).

Regarding dependent claim 15, Khan further comprising: parsing at least one received file from the client (Fig. 6) to retrieve a user-specified processing parameter (Fig. 6 [City.Net Travel by Excite]), where the user-specified processing parameter identifies the Web page to be retrieved (Col. 14 lines 48-49).

Regarding independent claim 16, Figs. 1 and 3 of Khan disclose an apparatus for processing data within a distributed data processing system, apparatus comprising: first receiving means (Fig. 1) for receiving, at a client, a first file (Figs. 13, 14) in response to a request by a user to browse the first file; displaying means (Fig. 1 [138]) for displaying content from the first file by a client application; selecting means for selecting a user interface control within the client application (Col. 14 lines 31-38); first retrieving means for automatically retrieving, in response to the selection of the user interface control (Fig. 6 (Col. 14 lines 39-42)), an address of a server (Fig. 11 [Address]), wherein the user has previously established a user account at the server (Col. 14 lines 31-38); second retrieving means for automatically retrieving (Fig. 11[News and Sports, My Private and Links]), in response to the selection of the user interface

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control, user-specified parameters (Fig. 11 [1-3]) within the client application, wherein the user user-specified parameter are associated the user account (Col. 14 lines 31-38) at the server (Fig. 1 [300]) for server-side (Fig. 3 [310 a, b, c]) processing of files sent by the user to the server; and first sending means (Fig. 11 [1,2,3]) for automatically sending the first file (Fig. 14 [1402]) with the retrieved user-specified parameters (Fig. 14, [1406, 1404]) from the client to the server using the retrieved address (Fig 11 [Address]).

Khan fails to specifically disclose sending the file to the server. However, Hiatt discloses sending a file to a server (paragraph 0015). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Hiatt with Khan, since it would have allowed a user to remotely store an archived copy of a file.

Regarding dependent claim 17, Khan further comprising: determining means (Fig. 9) for determining means for determining that the first file (Fig. 9 [http://c..]) references a plurality of files (Fig. 9 [What New, Surf Central, Webmaster earn, Make your bookmarks..]); second receiving means for receiving at the client the plurality of files (Fig. 9); second sending means (Fig. 6 [1-3], Fig. 9 [902] Col. 15 line 61—Col. 16 line 14) for sending the plurality of files with the first file to the server.

Regarding dependent claim 18, Fig. 11 [600] of Khan further discloses wherein the address is a Uniform Resource Identifier (Fig. 11 [600] <http://www.clickmarks.com/...>).

Regarding dependent claim 19, Khan further discloses wherein the first file is formatted in accordance with a markup language (Col. 9 lines 57-61 and Col. 10 lines 49).

Regarding independent claim 20, Figs. 1 and 3 of Khan disclose an apparatus for processing data within a distributed data processing system, the apparatus comprising receiving means for receiving (Fig. 3 [300], at a server, one or more files from a user at a client (Fig. 3. [302a, b, c]), wherein the user has previously established a user account at the server (Col. 14 lines 31-38); authorizing means (Fig. 6) for authorizing the user for processing data at the server; first storing means (Fig. 3 [310a]) for automatically storing in response to authorizing the user, the one or more received files from the client at the server; retrieving means (Fig. 6 [610]) for automatically retrieving, in response to authorizing the user, a Web page (Fig. 11) from local at the server; modifying means (Fig. 11 [1-3], Delete, Move, Rename) for automatically modifying the retrieved Web page by inserting a hyperlink (Figs. 1-3) to at least one of the one or more received files from the client; and second storing means (Fig. 3 [310b]) for automatically storing the modified Web page.

Khan fails to specifically disclose sending the file to the server. However, Hiatt discloses sending a file to a server (paragraph 0015). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Hiatt with Khan, since it would have allowed a user to remotely store an archived copy of a file.

Regarding dependent claim 22, Khan further discloses wherein the web page may be edited by the user (Fig. 11 [1-3], Delete, Move, Rename).

Regarding dependent claim 23, Khan further discloses: first parsing means for parsing (Fig. 6 [620,616]) at least one received file from the client to retrieve an originating Uniform Resource Identifier (Fig. 6 [City.Net Travel be excite]); generating means (Fig. 14 [1400]) for generating one or more URIs ([1402]) for storing the one or more received files at the server; and third storing means (Fig. 3 [310c]) for storing the one more received files to be accessible using the one or more generated URIs.

Regarding dependent claim 24, Khan further discloses wherein the inserted hyperlink reference (Fig. 6[610]) a received file using a generated URI (Col. 14 lines 48-50).

Regarding dependent claim 25, Khan further discloses wherein the inserted hyper link (Fig. 6 [610]) is associated with anchor text derived from content within a received file (Col. 14 lines 48-50).

Regarding dependent claim 26, Khan further discloses where the anchor text (Fig. 6 [612]) is a title (City.Net Travel by excite) of a received file.

Regarding dependent claim 27, Khan further discloses: first executing means (Fig. 11 [My Yahoo, E Trade]) for executing a server-side script (Fig. 11 [My Yahoo, E Trade]) against the one or more received files (Fig 11[News, My Private Links) and the retrieved Web page (Fig. 11 [www.clickmarks.com]).

Regarding dependent claim 28, Khan further discloses: determining means (Col. 15 lines 6-7 discloses determining means by clicks for determining whether a user

has specified a server-side script (Fig. 6 [610] City.Net Travel by Excite); and second executing means for executing in response to a determination that the user has specified a server-side script, the specified server-side script (Col. 15 lines 7-8).

Regarding dependent claim 29, Figs. 6-8 of Khan further discloses multiple parsing means (Fig. 6 [620, 616]) for parsing at least one received file from the client to retrieve the specified server-side script.

Regarding dependent claim 30, Figs. 6-8 of Khan further discloses multiple parsing means (Fig. 6 [620,616]) parsing means for parsing at least one received file from the client to retrieve a user-specified processing parameter (Fig. 6 [Entertainment, Shopping, Travel Leisure, ghgh.....]), wherein the user-specified processing parameter identifies the Web page to be retrieved (Fig. 6 [610] City.Net Travel by Excite).

Regarding independent claim 31, Figs. 1 and 3 of Khan disclose a computer program product in a computer readable medium for use in a data processing system for remotely storing data, the computer program product comprising: instructions (Fig. 9 Address:http://c) for receiving, at a client (Fig. 1), a first file (Fig 9[900]) in response to a request to by a user to browse the first file; instructions for displaying content (Fig. 9 [What's New, Surf Central, Webmaster]) from the first file by a client application (Fig. 1); instructions (Col. 14 lines 34-43) for selecting a user interface control (Fig. 6) within the client application; instructions for automatically retrieving, in response to the selection of the user interface control, an address of a server (Fig. 11[Address <http://.clickmarks.com>], wherein the user has previously established a user account (Col. 14 lines 31-34) at the server (Fig. 3); instructions for automatically retrieving, in

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response to the selection of the user interface control, user-specified parameters (Fig. 11 [1-3], News and Sports, My private Links) within the client application, wherein the user-specified parameters are associated with the user account (Col. 14 lines 34-43) at the server for server-side (Fig. 3 [300]) processing of files (Fig. 3 [310a, b, c]) sent by the user to the server (Fig. 3 [302a, b, c]); and instructions (Fig. 14[1400]) for automatically sending the first file (Fig. 14[1402]) with the retrieved user-specified parameters (Fig. 14[1406,1404]) from the client to the server using the retrieved address (Fig. 11[Address]).

Khan fails to specifically disclose sending the file to the server. However, Hiatt discloses sending a file to a server (paragraph 0015). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Hiatt with Khan, since it would have allowed a user to remotely store an archived copy of a file.

Regarding dependent claim 32, Khan further discloses instructions for determining that the first file (Fig. 9 [http://c..]) references a plurality of files (Fig. 9 'What New, Surf Central, Webmaster earn, Make your bookmarks ..'); a instructions for receiving at the client (Fig. 1) the plurality of files (fig. 9 'What New, Surf Central, Webmaster earn, Make your bookmarks ..'); instructions for sending the plurality of files with the first file to the server sending the plurality of files with the first file to the server (Fig. 9 [902] Col. 15 line 61—Col. 16 line 14).

Regarding dependent claim 33, Fig. 11 [600] of Khan further discloses wherein the address is a Uniform Resource Identifier (Fig. 11 [600] <http://www.clickmarks.com/...>).

Regarding dependent claim 34, Khan further discloses wherein the first file is formatted in accordance with a markup language (Col. 9 lines 57-61 and Col. 10 lines 49).

Regarding independent claim 35, recite a computer program product in a computer readable medium for use in a data processing system for storing data which is equivalent to the apparatus as recited in claim 20 and is similarly rejected, as above.

Regarding dependent claim 37-45, recite the computer program product in a computer readable medium for use in a data processing system for storing data which is equivalent to the apparatus as recited in claim 22-30 and are similarly rejected, as above.

Response to Arguments

5. Applicant's arguments with respect to claims 1-5, 7-20, 22-35, and 37-45 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KYLE R. STORK whose telephone number is (571)272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kyle Stork/

Kyle R Stork
Primary Examiner
Art Unit 2178

hrs